GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2554
ANSWERED ON:01.08.2017
New Rules under Prevention of Insult to National Honour Act, 1971
Senguttuvan Shri Balasubramaniam

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is any proposal to frame a set of new rules under the Prevention of Insults to National Honour Act, 1971 with a view to ensuring that due respect is shown by every citizen during the singing of National Anthem and if so, the details thereof;

(b) whether the Government is aware of an incident of assault on a wheel-chair bound handicapped man at a cinema house since he did not stand up whilst the National Anthem was sung and if so, the reaction of the Government thereto;

(c) whether the Government is considering any protocol for banning the singing of the National Anthem in commercial programmes and if so, the details thereof; and

(d) whether the Government would frame new rules for playing or singing the National Anthem in programmes where Constitutional dignitaries are in attendance and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)

(a) to (d) The singing/playing of the National Anthem on various occasions and need for paying due respect to the National Anthem by observance of proper decorum on such occasions are regulated by 'Orders relating to the National Anthem of India' and 'The Prevention of Insults to National Honour Act, 1971'. Government has been sending advisory to all States/UTs from time to time

to comply with the instructions contained in the 'Orders relating to the National Anthem of India' and the above said Act. The matter relating to need for paying due respect to National Anthem on various occasion by observance of proper decorum is sub-judice in the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 855 of 2016-Shyam Narayan Chouksey Vs. Union of India. However, in pursuance of the directions contained in the interim orders of the Hon'ble Supreme Court in this case, the Government has issued instructions in this regard, including ban on commercial exploitation and dramatization of the National Anthem, on 6.12.2016, 21.12.2016, 23.3.2017 and 12.5.2017 to State Governments/Union Territories and Ministries/Departments of the Government of India. In regard to the reports that appeared in the media, the Government of Goa has informed that no such report or information as regards to an incident of assault on a wheel-chair bound handicapped man at a cinema house, while the National Anthem was sung, has been received at Panaji Police Station in North Goa.

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